



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, DC 20226

MAR 12 1998

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Dear Mr.

This refers to your letter of March 2, 1998, to the Bureau of Alcohol, Tobacco and Firearms (ATF), in which you request that certain Drillings and combination guns manufactured prior to 1941, be considered for classification curios of relics.

As set out in Title 27 Code of Federal Regulations (CFR), Part 178, § 179.11 the term "curio or relic" includes certain firearms or ammunition which are of special interest to collectors by reason of some quality other than is ordinarily associated with firearms intended for sporting use or as offensive or defensive weapon. To be recognized as curios or relics, firearms must:

- (1) Have been manufactured at least 50 years prior to the current date, but not including replicas thereof; or
- (2) Be certified by the curator of a municipal, state or federal museum which exhibits firearms to be curio or relics of museum interest; or
- (3) Derive a substantial part of their monetary value from the fact that they are novel, rare or bizarre, or from the fact of their association with some historical figure, period or event.

Any firearm which was actually manufactured more than 50 years prior to the current date, automatically qualifies as a curio or relic and it is not necessary for such a firearm to be listed on the ATF Firearms Curio & Relic list for it to be a curio or relic.

Mr.

Licenses are always encouraged to contact ATF for confirmation that a particular firearm qualifies as a curio or relic. We have frequently encountered instances in which individuals have incorrectly dated a firearm due to misidentification of the firearm, erroneous reference material or various other reasons. It would be unlawful for a licensed collector to receive or transfer a firearm in interstate commerce as a curio or relic if it did not meet the definition in the cited section.

We trust that the foregoing has been responsive to your inquiry. If we may be of any further assistance, please contact us.

Sincerely yours,


Edward M. Owen, Jr.
Chief, Firearms Technology Branch